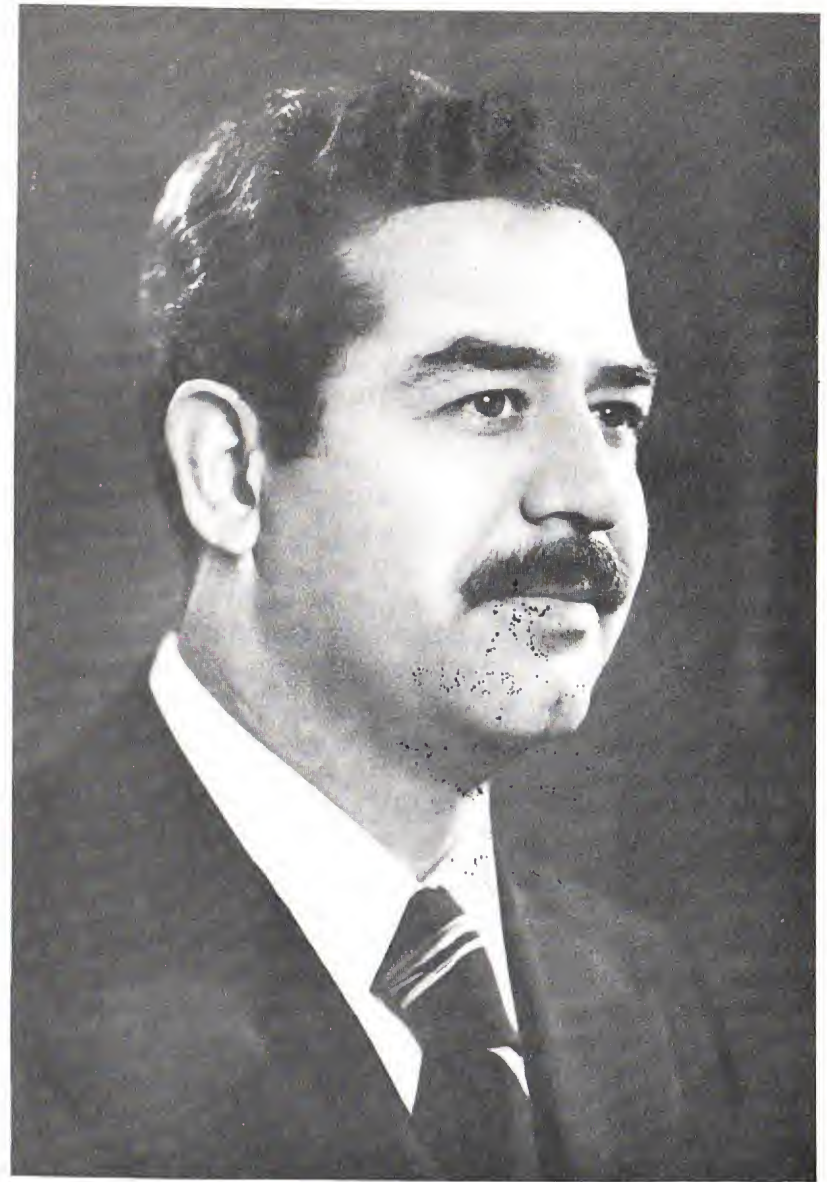


Iraqi Interests Section
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PRESIDENT SADDAM HUSSAIN

Historical Background

The present conflict between Iraq and Iran is not a new one; neither is it a simple one. The roots of this conflict go back more than 460 years. Since 1520 there had been 18 agreements between the Persian State and its neighbors in the West concerning their mutual relations including the issue of borders. The Persian State alone was responsible for violating those agreements both in words and deeds.

Hence, Iraq's decision to abrogate the 1975 Algiers Agreement after Iran had violated its basic provisions is not the first time such agreements between the two parties have been annulled; Iran continuously took this course particularly when it saw itself capable to do so. In fact it was the one to take the initiative once again to declare that it was no longer committed to the agreement signed by the deposed Shah. This announcement was made by the Iranian Chief of Staff, General Fallahi, on September 14, 1980.

During the sixteenth century A.D. the borders between the Persian Empire and the Ottoman Empire (of which Iraq was part) was unclear and subject to the loyalty of the tribes residing in the border region; this condition was further reinforced by the weakness of the centralized authorities of the two empires.

The first treaty was signed in 1520 to regulate the relations between the two countries after Iran had forcibly occupied and annexed Ottoman regions; this treaty was violated by Iran when it occupied additional parts of Iraq between 1623 and 1638. In 1639 the "Zahab" Treaty was signed stipulating that the "Zahab" region was part of the Ottoman Empire, but the Persian occupation of that region continued. This Treaty constituted the basis of border definition between the two states, because the description of borders stipulated therein did not differ greatly from the present border description.

In 1746 yet another treaty was signed confirming the border treaty of 1639 and re-established a commitment to this treaty by both states and demarcates the border region as it was stated in the 1639 Treaty with no changes or alterations.

After the outbreak of armed hostilities between the two states, the first Ardroom Treaty was signed in 1823 in confirmation of the previous treaty. This treaty ended the state of dispute and warfare that had prevailed over the relations between the two countries for nearly three centuries. However, the regional border disputes persisted which prompted the signing yet of a Second Ardroom Treaty in 1847 which was mediated by Imperial Russia and Britain. This last treaty stipulated that the borderline be the East bank of Shatt-al-Arab.

In 1911 there was a dispute over the implementation of the Treaty which was due to Iran's refusal to carry out its provisions because it questioned its legitimacy. Once again the two parties reached yet another agreement, "The Tehran Protocol." The provisions of this protocol were ignored by Iran; and in 1913 the Constantinople Protocol mediated by Russia and Britain was reached. The borders according to the provisions of this latest accord were clearly stated whereby the Ottoman State had full sovereignty over the Shat-al-Arab region with the exception of the four miles west of Al-Mohamra where the borders in this particular area fell four miles within the waterway across from the Port of Khoramshahr.

A joint committee representing Russia, Britain, the Ottoman State and Iran was formed to confirm the border lines in accordance with the provisions of the Protocol; the committee's work was successfully completed in October of 1914 when the Protocol was ratified by both parties.

When, at the end of the First World War, Iraq gained its independence from the Ottoman Empire, it inherited, in accordance with provisions of international law, all Turkish treaties relevant to Iraq including the Protocol

of 1913 and its ratification in 1914. This Treaty was to bring to an end all border disputes; however, Iran transcended this treaty with a series of border skirmishes and announced that it is no longer bound to the border agreements between the two countries. These military skirmishes continued until 1934 when Iraq brought the issue to the attention of the League of Nations. The short-lived coup of Bakir Sedqi on October 28, 1936 had a great influence on the course of events; and a border treaty was once again signed by the two states in 1937.

Article One of this agreement stipulated that the 1913 Protocol, as drawn by the Committee of four in 1914, be considered legal documents thus binding to both parties.

As for Shat-al-Arab, Article two of the agreement introduced a modification over the borderlines whereby Iraq was to give up a small portion of this waterway across from Abadan over a distance of nearly four miles.

This constitutes a second gain for Iran, the first being the four miles across from Khoramshahr. Article three of the agreement stipulated that a committee be formed to set up the locations for border markings in order "to put an end to the issue of borders between the two states."

This agreement was met with widespread opposition among Iraqis, for they saw in it an insurance of Iranian interests only; it was ratified in the Iraqi Parliament only after lengthy and sharp discussions. However, the Iraqi people refused its provisions and took to the streets to demonstrate their anger.

In 1940 Iran claimed that Iraq was obstructing the progress of the work of the joint committee in drawing the border lines; it consequently recalled its representatives and terminated the work of the committee.

Since the 1958 Revolution, the relations between the two countries continued to deteriorate; and Tehran began to offer financial and military assistance to the Kirdsh cessationists in the north of Iraq.

In November 1959, the Shah decided to re-open the borders issue by declaring that the 1937 agreement is unacceptable. Iraq responded by announcing its sovereignty over the Arabestan region. The relations between the two countries were extremely tense, and border skirmishes increased numerically and in intensity. The two parties returned to the negotiating table in February of 1964; those negotiations continued for four years without any concrete progress. The relations continued to deteriorate after the 1968 Revolution led by the ABSP; and in 1969 Tehran announced the abrogation of the 1937 agreement to which Iraq responded by expelling large numbers of Iranian nationals residing in Iraq. Iran then once again returned to its policy of support of the Kurdish cessationists in the North and in 1975 and with the mediation of the late Algerian President Houari Boumedienne a new agreement was reached and the announcement was made in Algiers. The agreement stipulated—

- Drawing the borderline in accordance with the Constantinople Protocol of 1913; and re-establishing the work of the border committee formed in 1914.
- These borders be along the median of Shat-al-Arab.
- Restore security and mutual trust to the border area, to control it and closely supervise it in order to put an end to infiltration from both sides.
- Considering the above-stated provisions as part of a comprehensive agreement, hence the violation of any part violates the spirit of the Algiers Agreement.
- Restoring friendly and good neighborly relations and the prevention of external interference in the region.

It was clear then the existing conditions under which this agreement was signed.

However, despite the signing of the agreement over the border issues, political disputes between the two countries continued. In 1976 Iran recalled its ambassador from Baghdad in protest over the establishment of the "Arabian Gulf Agency" and relations deteriorated further during Iran's discussion of its joint project for the security of the Gulf which was rejected by Iraq.

After the overthrow of the Shah, the new rulers in Iran began a campaign of irresponsible announcements with regard to the density of the three islands in the Arabian Gulf seized by Iran in 1971. Some officials went so far as declaring Iran's sovereignty over Bahrain, while others began to encourage sectarian unrest in a number of Gulf states.

Simultaneously, Tehran was committing atrocities against the non-Persian Iranian minorities, and in particular, against the Arabs residing in the Arabestan region who were demanding self-rule. Iran pointed to Iraq in accusation for inciting those minorities. Iran then attempted to incite trouble within Iraq through the ranks of the Da'wa religious party. This led to rapid worsening of relations between the two states. Border clashes increased reaching to a climax with the announcement of General Fallahi on 14 September 1980 that Iran no longer recognizes the 1975 Agreement. The Iraqi official response to the Iranian position was that it was a clear violation of the provisions of the agreement and that "article four of this agreement stipulated that the four provisions are an integral part of the comprehensive agreement," and the violation of one contradicts the spirit of the Algiers Agreement.

Three days later the Revolutionary Command Council (RCC) passed a resolution stipulating the abrogation of the Treaty, which was approved unanimously by the Iraqi General Assembly. The resolution stated:

"Based on Section A, Article 42 of the interim constitution, and because of the violation of the Government of Iran of the content and spirit of the Treaty of March 6, 1975 and its protocols, manifested in its

rejection of the neighborly relations, its open and willful interference in the internal affairs of Iraq, and its unwillingness to return the seized Iraqi territory as the Algiers Treaty stipulated. All these actions show that the Iranian party considers the March 6, 1975 Treaty not in effect. Thus the RCC decided, in its session of 9/17/80, to consider the 1975 Treaty null and void, and restore its full sovereignty over Shat-al-Arab."

Iraq's goodwill towards the Iranian peoples is best illustrated by its support of their struggle against the Shah. Iraq, under the leadership of the Arab Ba'ath Socialist Party (ABSP), extended financial help, media facilities, and gave refuge to a great number of Iranians. The Persian program of Radio Baghdad was put at the disposal of the anti-Shah movement. Former Iranian Ambassador Mahmood Diai was one of the Iranians who broadcasted from Radio Baghdad. He acknowledged in news conferences and television interviews Iraq's significant help to the various anti-Shah factions.

As for Khomeini himself, Iraq was his refuge since the Shah expelled him out of Iran. He continued to live in Baghdad protected by Iraqi security, and provided for by the Iraqi government for fourteen years. Not only that, but he had the freedom to conduct political activities against the Shah's regime. After the signing of the Algiers Treaty in March 1975, Iraq agreed with that regime to solve their problems in exchange for the Shah's commitment to stop its aid to the reactionary cessationist Barzani group in north Iraq.

As part of the agreement, the media war was stopped, and all political activity against each other was ended. Since Iraq does not deal with governments at the expense of their people, Khomeini was allowed to continue to reside in Iraq after the treaty.

Khomeini was asked to abide by the rules of hospitality. He continued to be protected and cared for by the Government of Iraq until he chose to leave for another country.

Khomeini followers in Iran have been harboring their ill intentions against Iraq long before the overthrow of the Shah's regime. They spread rumors, distorted news, and led demonstrations against the Iraqi Embassy in Tehran, and the Iraqi consulates at Al-Muhammarah (Khorramshahr) and Kerman-shah. The Khomeini complex with Iraq remained, and will continue as long as he continues regarding Iraq as part of Persia. He has made numerous statements to this effect.

While these actions were directed by the Khomeini supporters against the Iraqi Embassy and its consulates, Iraq continued to protect the Iranian opposition elements residing in it, and provided them with financial and other help. One of the Shah's conditions for his visit to Iraq was the expulsion of Khomeini. Yet his request was consistently turned down by the Iraqi government. Thus, while Khomeini's followers in Iran persisted in their provocations against Iraq, he continued to enjoy the protection and help of the government of Iraq. During 1978 the Shah intensified his efforts to assassinate Khomeini, but Iraq's blanket of security saved him from the Shah's numerous attempts. When opposition to the Shah intensified in 1978, the Iraqi media spared no effort in supporting and encouraging the Iranian people's fight for freedom. For Iraq is always with freedom everywhere.

With the swelling of opposition in Iran in 1978, Khomeini's name began to assume importance. He resumed his activities openly contrary to the 1975 understanding between him and the Iraqi government. Since his activities were endangering the 1975 treaty with Iran, Iraq was left with no alternative but to ask him to either end all his activities or leave Iraq to any country he wished. He chose Kuwait, but the latter refused to admit him. He returned from the Kuwaiti border to Baghdad. From there he took a plane to Paris.

Upon Khomeini's return to Tehran, his followers embarked on a campaign against Iraq. The motives behind this campaign were not his expulsion from Iraq. For his

expulsion was in his interest because it enabled him to widen his contacts with the Iranian exiles.

The most important motive behind the campaign was the desire to create a sectarian strife in Iraq. Narrow-minded Khomeini thought that he could easily create a sectarian strife in Iraq. It appears he was relying on his Iranian followers in Iraq, and on what is called the Da'wah (call) Moslem Party whose leadership inside and outside Iraq was Iranian. Khomeini also hoped to establish in Iraq Iranian terrorist organizations similar to its Amal terrorists in Lebanon. Such organizations would be used for kidnapping and killing women and children, and for burning schools and mosques.

Since March 1979, Iran radio broadcasting in Persian and Arabic, and Iranian papers continued on insulting Iraq and its President, and directed their insults at Arab nationalism and the Arab revolution. The Iranian press specialized in calling for the overthrow of the Ba'ath rule and the assassination of President Saddam Hussain.

The Arab Ba'ath Socialist Party and Its July 17 Revolution need no proof of their support to the liberation movements all over the world. The Iranian opposition to the Shah received extensive support from the Iraqi government and the ABSF. Iraq's help provided—

1. Financial, political, and press support for the Iranian opposition. Iranian political refugees in Iraq, including Khomeini, were living in Iraq and provided for by the Iraqi government for years before February 11, 1979, when the Shah was toppled.

2. Giving refuge and protection to any Iranian opposing the Shah in spite of the Shah's protest, and his support of the cessationist reactionary Barzani in north Iraq.

The reactionary-sectarian-imperialistic plan to contain the Iranian revolution obviously called for opening up the front against Iraq and its national socialist revolution. Khomeini turned to agitate sectarianism in Iraq to no avail. The Iraqi people, regardless of their religious denomination, are solidly behind the Arab Ba'ath

Socialist Party and the historic leadership of President Saddam Hussain.

Iran's aggressions aimed at Iraqi institutions in Iran were numerous. Below are three examples of such aggressions.

1. Iraq's embassy in Tehran was subjected to numerous provocations and violent acts. It was threatened by burning. Hundreds of anti-Iraq demonstrations by Iranians vengeful of Iraq and Arabism paraded in front of the Iraqi Embassy with the blessings of the Khomeini government.

2. The Iraqi consulate at Al-Muhammarah (Khorramshahr) was attacked on 10/11/79, 10/26/79, and 11/7/79 by followers of Khomeini. Its doors and windows were broken. The consulate staff was beaten, and the files were taken. On 11/1/79 the Iranian authorities attacked the consulate at Al-Muhammarah. They downed the Iraqi flag and tore it to pieces, smashed the portraits of President Hussain, and took off with the diplomatic mail. On 1/11/80, the Iranian authorities deported the consulate personnel, after they were beaten and manhandled. Iraq, in return, closed the Iranian consulates in Karbala and Basra.

3. Iraqi schools were consistently harrassed by the so-called "revolutionary guards." Both teachers and students were beaten. Finally the Iranian authorities closed all Iraqi schools in Iran. Iraqi teachers were deported. They were not allowed to take their personal belongings with them. Some of them were arrested, questioned, and released 48 hours later. Iraq responded by closing all Iranian schools in Iraq.

Radio Iran called openly for the assassination of Baathist members, and the sabotaging of Iraqi factories and roads. The religious mullahs issued similar calls.

The various power centers, the Presidency, and the religious institutions embarked on an anti-Iraq campaign, fabricating news of clashes between Iraqi-Iranian forces and exaggerating the border incidents. Contributions are raised in Iran for the so-called Moslem revolu-

tionaries and the Islamic revolution in Iraq. Khomeini and other religious Shaiks issue *fatawa* (religious judgments) sanctioning the killing of Baathists. Such *fatawa* were, and still are, broadcasted daily from Tehran radio.

Repeated threats against Iraq were made by the Iranian President. He said more than once that Arab nationalism is no different from zionism. Khomeini called on the Arabs to give up their nationality and melt in his Islamic revolution. He also claimed that Iraq is part of Persia. His chief of staff claimed his forces can conquer Iraq easily, and the Iraqis will welcome them as liberators. Little did he know the Shiites of Iraq are Arabs, and put their Arabism before anything else.

On 4/1/80, an Iranian resident terrorist threw a bomb at a student meeting in Al-Mustansiriyah University. On 4/5/80, another bomb was thrown from the Iranian school at the funeral procession of the victims of the Al-Mustansiriyah incident. On 4/12/80 an attempt was made at the life of the Iraqi Minister of Information.

The Kurdish question was one of the instruments the Khomeini regime used to put pressure on Iraq. It gave support to the small disaffected followers of Jalal Talbani and Idrees Barzani. Not only that, but it opened the Irani border for them to ease their marauding into Iraqi territory, and carrying out acts of sabotage.

Samples of Irani Statements

Since Khomeini came to power, belligerent statements against Iraq became a standard practice. The following are only a token sample of Iran's belligerency against the Arabs.

1. In delivering a speech on behalf of his father, Khomeini's son said on 3/31/80, "we must spare no effort in exporting our revolution to the Arab countries. We must never be content with only a revolution in Iran."

2. In his statements to Al-Nahar Al-Arabi Wal-Dawli magazine, Vol. 151, 3/24/1980, BaniSadr affirmed that "Iran will not withdraw its forces from the three Arab islands that were captured during the Shah's regime, nor will it return them to the Arabs. Furthermore, Iran does not consider the Arab countries of Abu Dhabi, Qatar, Oman, Dubai, Kuwait, and Saudi Arabia as independent sovereign states."

3. Following his meeting with Khomeini and BaniSadr on 4/7/80, the Army Commander declared that Iraq is part of Persia.

4. On 4/8/80, Iran's Foreign Minister Ghotbzadeh declared, "Baghdad and Aden belong to us."

5. Khomeini declared, "If Iraq continues to demand the return of the three Arab islands, we will demand Baghdad under our sovereignty." After he finished his statement, Khomeini called on the people of Iraq and the Iraqi armed forces to rise and overthrow their government.

6. On 4/9/80, Ghotbzadeh declared that his government decided to overthrow the Iraqi government.

7. On 4/18/80, Sadeq Rohani, leader of the conservative mullahs stated in Qom, "Iran will again claim Bahrain if Iraq continues to demand the return of the three islands of Abu Mousa, Greater and Lesser Tunbs which the Iranian army captured in 1971. The Iranian Parliament which gave up the claim for Bahrain under the Shah is illegitimate."

8. In a statement to the Tehran newspaper Jumhoori Islami, 4/19/80, Khomeini said, "the Iraqi people must liberate themselves from their enemy and ours. It is the duty of the Iraqi army to overthrow the un-Islamic party in Iraq."

9. On 4/19/80, Radio Riyadh aired a statement for BaniSadr in which he reaffirmed that Iran will never give up the three islands.

10. On 4/18/80 Khomeini spoke to the Committee of National Mobilization that came to visit him. He said, "the Iraqi government is not really a government. They

have no council. They only have a number of military men who do what pleases them. They are isolated from the people. Saddam Hussain says and plans many things. He said we are Arabs. All Moslem peoples must know what 'we are Arabs' means. It means they do not want Islam. A person who talks of being Arab, the Arabs in the past opposed Islam. Saddam Hussein wants to revive the Omayyad regime. He wants to restore such regime of ignorance so the Arabs will be the power."

11. In a broadcast statement on 4/23/80, Ghotbzadeh emphasized, "it is the duty of the Iranians to help the Iraqi people who suffer persecution under the criminal Iraqi regime. We will not be contented until Saddam Hussain's regime falls."

12. On 4/23/80 Mohammad Sheerazi issued a statement. It said, "we call the nation in the west and east of the earth to the religious duty placed on it. The duty of resisting the oppressive Baathist clique with all means until it falls. (a) Join the armed Islamic groups currently in training. (b) Circulate literature, deliver speeches, distribute books, and use the radio, TV, and the press to spread anti-Baathist fervor. (c) Arm the Iraqi people with all kinds of weapons to enable them to rise against the despots. (d) Boycott everything connected with the Baath, for the Baath is on the verge of collapse.

13. In his letter to BaniSadr on 4/28/80, Khomeini said, "all institutions and international committees were formed by the strong to dominate the weak. We see what they planned for our people, in the name of rescuing the spies . . . The belligerent Baathist government of Iraq has, by orders from the United States, been directing its aggression on Iran. Yet we heard no condemnation from these committees."

14. In his news conference at the headquarters of the Higher Islamic Shiite Council in Beirut, on 4/28/80, Ghotbzadeh said, "The Baath regime is a criminal regime. We support the Iraqi people and give them every help to topple that regime."

Iranian Aggressions on Iraq

Iraq was subjected to Iranian aggression in the air, on land and at sea. The following are incidents of violation of Iraqi space by Iranian military aircraft.

2/23/79	2/24/79	6/03/79	6/08/79	
6/09/79	6/10/79	6/11/79	6/12/79	6/13/79
6/14/79	6/16/79	8/16/79	8/30/79	9/04/79
9/07/79	9/20/79	9/23/79	9/24/79	9/25/79
9/26/79	9/28/79	9/30/79	10/02/79	10/08/79
10/10/79	10/11/79	10/13/79	10/15/79	11/05/79
11/17/79	12/05/79	12/19/79	12/21/79	12/23/79
12/30/79	1/05/80	1/04/80	2/03/80	2/16/80
2/17/80	2/21/80	4/07/80	4/11/80	4/14/80
4/22/80	4/30/80	5/01/80	5/04/80	4/06/80
5/07/80	5/12/80	5/13/80	5/26/80	

Iranian land forces and border posts shelled Iraqi border areas on the following days.

8/26/79	9/07/79	9/10/79	10/17/79
10/16/79	10/18/79	4/01/80	4/15/80
4/06/80	4/09/80	4/09/80	4/11/80
4/20/80	4/21/80	6/03/80	

Iraqi foreign ships and boats were boarded, searched, and harrassed on the following days.

4/14/79	5/08/79	5/09/79	5/21/79	5/24/79
5/25/79	6/11/79	6/25/79	6/26/79	6/29/79
8/21/79				

War: the Last Resort

When political struggle and diplomatic efforts to restore legitimate rights are proved futile, then choosing the military option is justified, for then it becomes the only option. Iraq was unable to regain its legitimate rights through peaceful means; force was then the only other option. Iraq's action is considered a legitimate one; Article 51 of the U.N. Charter stipulates that restoring usurped rights is an act of self-defense, and acts of self-defense are legitimate and rightful acts. Iraq seeks nothing more than the restoration of its sovereignty over its lands and waterways.

The Iranian-Iraqi differences were basically due to expansionist aggressive policies of the various regimes in Iran. It was possible to have reached a resolution to those problems peacefully; however, the mentality of the Iranian rulers made futile all possibilities for a diplomatic solution. The Iranian rulers were not satisfied with the political deterioration of the relations between the two countries, they went as far as mobilizing their armed forces along the Iraqi borders, closing their air space, shelling Iraqi border towns and civilian and military installations, and moving Iranian naval ships anchored in the shatt-al-Arab against the Iraqi and foreign vessels sailing towards Iraq, in an attempt to blockade the waterway against ships destined to Iraqi ports.

All these efforts combined provided Iraq with one option: in self-defense, the Iraqi strong will and determination is capable to restore its legitimate rights.

Iraq did not want an armed conflict and does not bear the responsibility for it; it is the actions of the Iranian rulers which have led to the armed conflict. Iraq has no territorial ambitions over Iranian territory. The battle being waged now is a legitimate and just one.

During the early days of the war, President Saddam Hussain declared Iraq's willingness to unilaterally cease fire if the other side announces its acceptance of our legitimate rights. Iraq, furthermore, is ready to nego-

tiate directly or through a third party or any international organization respected and trusted by Iraq to reach a just and honorable resolution which insures our rights.

In addition to Iraq's demands for sovereignty over its land and waterway, it seeks a binding recognition of the Iranian government of those historical rights, to adhere to the good neighbor policy and to abandon its aggressive and expansionist attempts of interfering in the internal affairs of the countries in the region.

President Saddam Hussain announced with all clarity that Iraqis know no unconditional conditions and have no ambitions. Iraq looks with depth and responsibility towards the future of our relations with the Iranian peoples in mutual respect between the Arab Nation struggling for its unity and freedom and the Iranian peoples which the rulers of Iran are driving towards total destruction.

The Iraqi Ministry of Foreign Affairs had exerted all efforts to seek a political solution to the conflict through official messages and meetings with the Iranian Ambassador in Baghdad, to bring to the attention of the rulers in Iran the dangerous consequences of Iranian actions over the future of the Iranian-Iraqi relations. In addition to the 37 messages sent to Iran, there were statements delivered to the European Economic Community, the Islamic Conference, the Organization of American States, and to other international organizations which have all become official United Nations documents. When all these efforts appeared futile and Iraqi efforts to keep the situation under control were exhausted while border skirmishes and violations persisted, Iraq's patience was exhausted to the limits.

Iraq, in its international policy, rejects aggression and territorial expansionism. This position does not mean that Iraq is willing to expose its sovereignty over its land and waterways to external interference.**